

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 28, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

MID-CENTURY INSURANCE
COMPANY, a California corporation
doing business in Washington,

Plaintiff/Intervenor Defendant,

and

LIBERTY MUTUAL FIRE
INSURANCE COMPANY and
LIBERTY INSURANCE COMPANY,

Intervenor Plaintiffs,

v.

ACI NORTHWEST, INC., an Idaho
corporation,

Defendant.

No. 2:20-cv-00406-MKD

ORDER GRANTING STIPULATED
MOTION TO DISMISS AND
DISMISSING ACTION WITH
PREJUDICE

ECF No. 41

Before the Court is the parties' Stipulated Motion and Proposed Order
Dismissing Litigation With Prejudice, ECF No. 41. This case arises out of an
underlying case, *Jeanette Hotes-Aprato v. ACI Northwest, Inc.*, No. 2:19-cv-200-

1 MKD (E.D. Wash.), which was dismissed with prejudice after the parties reached a
2 settlement in that matter. The parties indicate that, given the settlement in the
3 underlying case, the remaining issues in this litigation are moot. ECF No. 41 at 2.
4 Accordingly, the parties stipulate and jointly move to dismiss this action with
5 prejudice, with each party to bear its own fees and costs. ECF No. 41 at 2.

6 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Court
7 accepts the notice of stipulation, grants the stipulated motion to dismiss, and
8 dismisses this action with prejudice.

9 Accordingly, **IT IS ORDERED:**

10 1. The parties' Stipulated Motion to Dismiss Litigation With Prejudice,
11 **ECF No. 41**, is **GRANTED**.

12 2. The Complaint, **ECF No. 1**, is **DISMISSED with prejudice**, with
13 each party to bear its own costs and attorney fees.

14 3. Any pending motions are **DENIED as moot**.

15 4. All hearings and other deadlines are **STRICKEN**.

16 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
17 Order, provide copies to counsel, and **CLOSE** the file.

18 DATED March 28, 2022.

19 s/Mary K. Dimke
20 MARY K. DIMKE
UNITED STATES DISTRICT JUDGE